

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BOARD OF TRUSTEES OF CEMENT  
MASONS LOCAL 526 COMBINED  
FUNDS, INC.,  
Plaintiff,

v.

TERRITO CONSTRUCTION, INC. and  
JOSEPH TERRITO,  
Defendants.

No.: 06-1576


**CONSENT JUDGMENT**


Electronically Filed

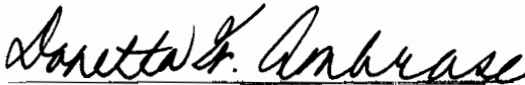
ORDER OF COURT

AND NOW, this 30<sup>th</sup> day of March, 2006, upon application the parties have presented to the court a dispute concerning unpaid fringe benefits and have resolved the matter as follows:

1. That the Court has jurisdiction of the parties and of the subject matter; and
2. That this action has been brought under the terms of the Employee Retirement Income Security Act of 1974 (ERISA), 29 USC §1001-1381; and
3. That the defendant is bound by the terms and conditions of its collective bargaining agreement with plaintiff; and
4. That the defendant is indebted to the plaintiff, in the amount of \$32,786.66 this amount includes \$27,360.27 for fringe benefits and payroll deductions, \$3,501.39 in penalties and interest, \$1,500.00 in attorney's fees and \$425.00 in litigation costs, for the work period of March 1, 2003 through December 31, 2006.
5. Judgment is hereby entered against the defendant in the amount of \$32,786.66

  
Stephen J. O'Brien, Esquire  
Allison M. H. Murray, Esquire  
Attorney for Plaintiff

  
Territo Construction, Inc.  
Defendant

  
United States District Judge